

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:12CR472 RWS
)	
MICHAEL SMITH, et al.,)	
)	
Defendants.)	

ORDER

This matter is pending before the undersigned pursuant to 28 U.S.C. § 636(b) for pretrial matters. The Defendant filed a motion requesting a mental health evaluation, which the undersigned granted by order dated April 9, 2013. On September 17, 2013, the report of evaluation was received and filed in this matter, and a competency hearing was set for October 2, 2013. On that date, the Defendant appeared in person and with counsel on the record, as well as counsel for the United States. The parties indicated on the record that they had received a copy of the expert's report and had an opportunity to review the report. The attorney for the United States stated that there would be nothing presented to rebut the findings of the expert. However, counsel for the United States requested that the Court take the competency finding under submission for an additional thirty days to allow the Defendant an opportunity to participate in a mental health program supervised by the Pretrial Services Office. By participating in a mental health program, counsel for the United States, and the Defendant as well, believe that they would obtain further and sufficient information to aid in both the Court's determination of competency and an appropriate disposition of this matter. Therefore, based on the above, the undersigned will take the competency matter under submission for a period of thirty (30) days. Further, the undersigned will order the Defendant to meet

with the Pretrial Services Office to make arrangements for participation in a mental health program as directed by that office.

Further, based on the above, the undersigned believes that the ends of justice served by allowing additional time for the Defendant to participate in a mental health program outweigh the best interest of the public and the Defendant in a speedy trial, and therefore, the additional time granted in this matter should be excluded from computation of the Defendant's right to a speedy trial pursuant to 18 U.S.C. § 3161(h)(1)(A).

Accordingly,

IT IS HEREBY ORDERED that, forthwith, the Defendant make arrangements with the Pretrial Services Office to enter a mental health program as directed by that office.

IT IS FURTHER ORDERED that the determination of competency remain under submission for a period not to exceed **thirty (30) days**.

IT IS FINALLY ORDERED that a status hearing be set on **Wednesday, November 6, 2013 at 10 a.m.** in Courtroom 15-South. The Defendant must be present.

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 3rd day of October, 2013.